

LEASE AGREEMENT

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This Agreement made and entered into this 29<sup>th</sup> day of January 1971 by and between the WASATCH RAILWAY MUSEUM AND FOUNDATION, INC., here and after called the Lessor, of Heber City, Utah, and the WASATCH MOUNTAIN RAILWAY AND DEVELOPMENT COMPANY, here and after called the Lessee, of Heber City, Utah,

WITNESSETH:

WHEREAS, the Lessor either owns or has leases on certain railway equipment, and

WHEREAS, the Lessee desires to lease said equipment to operate a train from Heber City down Provo Canyon, and

WHEREAS, it will be for the mutual interests of the parties to enter into a Lease Agreement of the railroad equipment, parts and supplies of the Lessor;

NOW, THEREFORE, it is mutually agreed between the parties as follows:

1. The Lessor hereby leases to the Lessee for a period of time equal to the lease to be obtained by the Lessee from the State of Utah all of the railroad equipment parts and supplies shown on exhibit "A" which is attached hereto and made a part of said lease.

2. The rent for said equipment shall be 10% of the net Profit derived from the actual operation of the railroad and its revenue from sale of train ride tickets only. If equipment is used on the train not belonging to the Lessor the rent shall be reduced in proportion to the amount of equipment so used. Income derived from any other source will not be considered. The net profit will be calculated after all operating costs including

